

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA
CASE NO. 1:14-CV-954**

**STUDENTS FOR FAIR
ADMISSIONS, INC.,**

Plaintiff,

v.

**UNIVERSITY OF NORTH
CAROLINA et al.,**

Defendants.

**PLAINTIFF’S MOTION FOR
ENTRY OF JUDGMENT ON A SEPARATE DOCUMENT**

Plaintiff Students for Fair Admissions, Inc. (SFFA) respectfully requests that the Court enter its judgment on a separate document, as required by Federal Rule of Civil Procedure 58.

In support of this Motion, SFFA states as follows:

1. On October 18, 2021, the Court issued Findings of Facts and Conclusions of Law. Dkt. 254.
2. In its opinion, the Court stated: “IT IS THEREFORE ORDERED AND ADJUDGED that Judgment shall be entered on Counts I and II of Plaintiff’s Complaint, (ECF No. 1), in favor of Defendants and against Plaintiff SFFA.” Dkt. 254 at 155.
3. To date, however, no judgment on a separate document has been entered.

4. Under Federal Rule 58, “[e]very judgment and amended judgment must be set out in a separate document.” Fed. R. Civ. P. 58(a).

5. “Should a court fail to issue a separate document, a party seeking finality remains free to request one.” *Hammack v. Baroid Corp.*, 142 F.3d 266, 270 (5th Cir. 1998); *see* Fed. R. Civ. P. 58(d) (“A party may request that judgment be set out in a separate document as required by Rule 58(a).”).

6. Defendants take no position on Plaintiff’s motion.

WHEREFORE, SFFA respectfully requests that the motion be granted and that the Court enter its judgment in a separate document as required by Federal Rule 58.

Respectfully submitted this 1st day of November, 2021.

/s/ Thomas R. McCarthy

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CERTIFICATE OF SERVICE

I hereby certify that I served the foregoing Motion via the Court's electronic filing systems, pursuant to the Electronic Filing Procedures, on all attorneys of record who have entered an appearance by ECF in this matter.

This 1st day of November, 2021.

/s/ Thomas R. McCarthy
Thomas R. McCarthy